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Sixty-third year

Identical letters dated 15 February 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith a position paper from the Lebanese Government, prepared in anticipation of the periodic review of the Secretary-General's report on the implementation of Security Council resolution 1701 (2006) (see annex).

I should be grateful if the present letter and the position paper were circulated as a document of the General Assembly, under agenda item 17, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

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Annex to the identical letters dated 15 February 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Lebanese Government position paper on the implementation of Security Council resolution 1701 (2006)

15 February 2008

In anticipation of the periodic review of the Secretary-General's report on the implementation of Security Council resolution 1701 (2006), the Lebanese position on the outstanding key elements is as follows:

1. Lebanon remains entirely committed to the full implementation of resolution 1701 (2006) and abides by its obligations under it. Lebanon looks forward to the achievement of serious progress on the remaining elements of the said resolution and to the full abiding by Israel by its articles.

2. The cooperation between the Lebanese Armed Forces (LAF) and UNIFIL continues to be strengthened through coordinating control checkpoints along the Litani River and in the UNIFIL area of operation, where the situation remains relatively calm.

3. Since the last review of the said resolution, LAF recorded that the Israeli forces have persistently committed 247 air, 27 maritime and 118 land violations. (Violations as provided by LAF covering the period from 8 October 2007 to 7 February 2008 are listed in previous letters from the Permanent Representative of Lebanon.[a]) Those violations are becoming systematic breaches of the Blue Line and resolution 1701 (2006), especially on land; Israel has repeatedly infiltrated Lebanese soil violating the Blue Line to kidnap Lebanese citizens, be it in the Shaba'a area by kidnapping harmless shepherds — Fadi Abdul Al was kidnapped on 7 January 2008 and released on 8 January — or in the Ghajar village vicinity. Those incidents escalated on 3 February, when the Israeli army shot and killed Abdullah Muhammad and injured Salim Qubaysi outside the Ghajar village on the Lebanese side.

4. On Ghajar, our position remains clear — Israel should withdraw immediately and with no prior condition from the northern part of Ghajar in conformity with resolution 1701 (2006). Bearing in mind the need to address the humanitarian situation in Ghajar, the Lebanese Government proposed a solution, namely that the Israeli army fully withdraws from the Lebanese side of Ghajar and that UNIFIL takes over the administrative and humanitarian responsibilities, until such time as the Lebanese army can deploy in the liberated area. In the meantime, LAF will keep a liaison officer in the UNIFIL position in the village. However, Israel continues to delay reaching a solution, thus maintaining a precarious situation which might lead to further escalation. The incidents which took place on 3 February along the Ghajar village border on Lebanese soil, in which Israel shot

[a] A/62/495-S/2007/620, A/62/514-S/2007/639, A/62/527-S/2007/655, A/62/526-S/2007/654, A/62/545-S/2007/668, A/62/558-S/2007/696, A/62/568-S/2007/709, A/62/570-S/2007/717, A/62/577-S/2007/727, A/62/630-S/2008/4, A/62/634-S/2008/9, A/62/635-S/2008/11, A/62/637-S/2008/13, A/62/646-S/2008/22, A/62/656-S/2008/30, A/62/664-S/2008/46, A/62/675-S/2008/74, A/62/678-S/2008/78 and A/62/690-S/2008/94.

Lebanese citizens, constitute a clear example. Not only is Israel challenging Lebanese sovereignty and security, but it is also bluntly keeping UNIFIL from executing its duty. On 6 February, the Israeli army confronted Spanish troops when they were trying to mend the wire on the Lebanese side of Ghajar — to prevent any recurrence of violence or possible escalation due to the illegal movement of people or smugglers — and prevented them from doing so. (It is to be noted in this context that the Israeli army has not returned to date two Lebanese citizens, Khaled and Ali Al-Muhammad, who were kidnapped in the Ghajar area on 9 November 2007.)

5. While we reaffirm that the internationally recognized borders of Lebanon in the south are as referred to in the 1949 Armistice Agreement, and as reiterated in paragraph 5 of resolution 1701 (2006), we continue to welcome the fact that LAF and UNIFIL began to implement the agreement to mark the Blue Line; however, the Israeli Army is not being totally cooperative with this marking effort and threatens to jeopardize the whole process by tying the agreement on one mark to the agreement on another.

6. On the environmental front, Israel has been repeatedly pumping accumulated rain water into the Lebanese village of Kafr Killa, thereby damaging the soil and olive trees. It refuses to cooperate with the mediation of UNIFIL to find a temporary solution for this problem. In addition to the damage caused to the land, such environmental infringements also constitute a threat to stability on the border, as the inhabitants are driven to protest for their agricultural losses.

7. Tripartite meetings which are held periodically remain the appropriate venue to address the issue of demarcating the Blue Line and dealing with all tensions. However, the Israeli army does not resort to liaison and coordination arrangements between the three parties to solve problems and instead acts unilaterally on the ground. Moreover, it uses the tripartite meetings to make serious threats on the record, such as threatening to bombard civilian targets in the future under the pretext that those targets are hiding military installations. In this context we reiterate that violations to our territorial sovereignty cannot be justified under any pretext, including the enforcement of the arms embargo according to resolution 1701 (2006). The said resolution did not commission Israel with this task. Furthermore, we repeatedly asked that any information concerning the illegal movement of arms or personnel be shared through UNIFIL with LAF so that both will verify it and take the appropriate measures in this regard. Despite our stated position, the Israelis refuse to submit such information and prefer to build unsubstantiated impressions in the media instead of having it verified by LAF and UNIFIL on the ground. In the few instances when such alleged evidence was shared with UNIFIL, it was done too late. LAF and UNIFIL checked the specified locations, and all turned out to be civilian sanitary facilities and constructions. In the light of the last Winograd report, which admitted Israel was preparing for a new war, we request that such threats be taken seriously by the international community and that Israel be held responsible and reminded of its strict obligation to respect the territorial integrity of Lebanon and the relevant Security Council resolutions, in particular 1701 (2006).

8. Concerning the two Katyusha rockets which fell on the Shlomi settlement in the early morning of 8 January 2008, it has not been proved to date that they were launched from Lebanese territory. LAF and UNIFIL searched the border region immediately after the incident over several days and carried out all the

necessary investigations. No proof of such a launching was found. LAF remain vigilant and always ready to cooperate with UNIFIL in this context.

9. On the question of the Lebanese detainees in Israeli prisons, we continue to insist that these detentions are a breach of the basic rules of international law and that they be released immediately and unconditionally. As for the Israeli soldiers abducted on 12 July 2006, the Lebanese Government reiterates that it has no knowledge of their status or whereabouts and remains ready to cooperate with the Secretary-General, who is dealing with this issue, whenever he may deem it appropriate to do so.

10. The Israeli Army pounded Lebanon with millions of cluster bombs, contaminating an estimated area of over 38 million square metres. Despite the joint efforts of the Lebanese armed forces, 16 UNIFIL teams and 61 United Nations contractors, the task ahead to clear and demine more then 1 million cluster bombs constitutes a real challenge. We request that Israel gives to the United Nations, without any further delay, the maps which indicate where it dropped the cluster bombs. Those maps need to be specific and not general, as approximate information does not serve the purpose of determining the coordinates of those bombs. Cluster bombs remain a continuing threat to the civilian population in the south and represent a humanitarian crime for which Israel will have to bear responsibility and pay compensation to Lebanon.

11. Israel claims to have submitted all maps related to landmines laid in Lebanon prior to its withdrawal in 2000. It has been agreed in the tripartite meetings that any further discoveries of landmines will be brought to the attention of this venue and that the Israeli Army will submit related maps if in their possession.

12. The continued Israeli occupation of the Shaba'a Farms constitutes a continuing threat to stability and security along the border and a violation of Security Council resolution 425 (1978). While taking note of the provisional geographical definition presented in the last interim report on the implementation of resolution 1701 (2006), we urge the Secretary-General to start a long-due diplomatic process based on our suggestion in the Seven-Point Plan that this area be placed under provisional United Nations custodianship after the withdrawal of the Israeli occupying forces, and until the border demarcation between Lebanon and Syria is possible.

13. The control of the borders is a national security interest for Lebanon. The Lebanese competent authorities adopted an integrated strategy to enhance their capabilities in controlling the border from the Lebanese side and are maintaining a high level of vigilance against the illegal movements of arms and materiel. Further technical and logistic support is needed to enhance their capabilities in the fulfilment of their tasks. The Lebanese Government continues to implement a pilot project in the northern part of the border in close cooperation with the German authorities, with the aim of expanding it along the border from the Lebanese side. This project is progressing well. In this context, the Lebanese Government reiterates that the control of the northern and eastern borders is a responsibility shared by both Syria and Lebanon, pursuant to paragraph 15 of resolution 1701 (2006). Therefore, it reiterates the need to establish cooperation with Syrian counterparts, in particular at the operational level, in a joint effort to secure the border and prevent illegal cross-border activities. In this context, we request again that any information about the illegal smuggling of arms or persons in the possession of any third country be

shared with us directly if possible, or through the United Nations. Unsubstantiated allegations of illicit movements across the border serve no useful purpose.

14. We consider that, based on the important measures taken by the Lebanese Government and LAF to extend their authority throughout Lebanese territory and to guarantee peace and stability, it is essential to move from the precarious situation of the cessation of hostilities to a permanent ceasefire.

15. On the economic front, we reiterate the call upon the international community in resolution 1701 (2006) to consider further assistance for the reconstruction and development of Lebanon. In that context, we urge the States participating in the conferences of Stockholm and Paris III to fulfil their pledges.